

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Michael Cook,

NO. C 07-05391 JW

Plaintiff,

**ORDER GRANTING APPLICATION TO
PROCEED IN FORMA PAUPERIS AND
DISMISSING COMPLAINT**

v.

Jo-Anne Barnhart,
Commissioner, Social Security Administration,

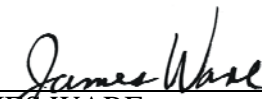
Defendant.

Pursuant to 28 U.S.C. § 1915(a), Michael Cook has filed an Application to Proceed in Forma Pauperis based on his declaration of poverty. (See Docket Item No. 2.) The Application is GRANTED.

Pursuant to 28 U.S.C. § 1915(d), the Court has examined the tendered Complaint. The Complaint seeks judicial review of a final decision of the commissioner of social security. The Court finds Plaintiff's claims in this case duplicative to the claims raised in Michael Cook v. Jo-Anne Barnhart, Commissioner, Social Security Administration, C 07-5085 JW. Accordingly, the Court DISMISSES the Complaint as duplicative. All future filings shall only be filed in C 07-05085 JW.

The Clerk shall close this file.

Dated: January 3, 2008


JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Michael Charles Cook
3 T-79529
4 CSP New Folsom
5 P. O. Box 290066
6 Represa, Ca 95671-0066

7
8 **Dated: January 3, 2008**

Richard W. Wieking, Clerk

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11 **By: /s/ JW Chambers**

12 **Elizabeth Garcia**
13 **Courtroom Deputy**
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